

EXHIBIT B

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SAFETY & RISK MGMT
LEWIS & FIORE

PAGE 02/07

002

SUPREME COURT STATE OF NEW YORK
COUNTY OF NEW YORK

-----x
BRENDA OWENS JOHNSON,

Plaintiff,

-against-

METROPOLITAN LIFE INSURANCE COMPANY,
CONSTELLATION ENERGY and
LILLIAN JOHNSON,

Defendants.
-----x

600008/06
Index No. 06/0008

AFFIDAVIT OF
BRENDA OWENS JOHNSON

STATE OF MARYLAND :
: ss.:
COUNTY OF BALTIMORE :

Brenda Owens Johnson being duly sworn deposes and
says:

1. I am the Plaintiff herein and make this affidavit
in support of my motion seeking a preliminary injunction
forbidding defendant, Metropolitan Life Insurance Company,
(hereinafter "Met Life"), from making a payment on the life
insurance policy covering my husband to his ex-wife, defendant
Lillian Johnson. We also seek a temporary restraining order
preventing Met Life from making any payments on the policy until

the hearing on this motion and requiring Met Life to stop payment on any checks issued in payment of the policy in the past 48 hours.

2. My husband, Arthur J. Johnson died on September 9, 2005. Prior to his death, my husband was employed by defendant, Constellation Energy, for thirty two years. His divorce from defendant Lillian Johnson was finalized in September of 2002.

3. Soon after we were married, my husband brought home a form to change the beneficiary on the life insurance policy that he maintained through his job with Constellation Energy. My husband gave me the form to fill out and I was reluctant to do so because I did not want to discuss the issue of either of us dieing. The next morning my husband asked me if I had completed the form and I told him that I had not. At his insistence I told him that I would take the form to work with me and complete it. I distinctly remember discussing my husband's insistence that I fill the form out with his cousin Jurise Carter Roscoe who works with me. We joked about how my husband always wanted to do things immediately.

4. I filed the form out at work and gave it to him that evening. The next evening when he returned from work I asked him if he submitted the form and he told me that he had done so. We had a lighthearted conversation about how he always

did things like this with no delay. We never heard anything back from any of the defendants about the change in beneficiary.

5. Annexed hereto is a printout of my husband's earnings and deductions from his job with Constellation Energy. It is clear that he had Employee Supplemental Life Insurance and Additional Supplemental Life Insurance on his life and even had spouse Life Insurance covering my life. It is undeniable therefore, that Constellation Energy and Met Life knew that I was my husband's spouse and that I was covered under his insurance policy. Also submitted herewith is a copy of the Flexible Benefits Confirmation Statement from December 9, 2003 showing that my husband and I were both listed on the form as was the life insurance benefits that he had covering his life and my life.

6. When I submitted an application for benefits after my husband died, I was told by Metropolitan Life that I was not the beneficiary named on the policy. I appealed that determination and submitted proof to Met Life that I was married to my husband.

7. One of the documents which I submitted was the divorce decree between my husband and his ex-wife. As can be seen from the decree, the defendant waived all but \$50,000 of any life insurance benefits that my husband owned. I pointed out to Met Life that the defendant was bound by that agreement

and could not properly claim to be the beneficiary of his life insurance policy. (See copies annexed hereto).

8. Since this problem arose I have spoken to a number of my late husband's co-workers and they have informed me that Constellation Energy is notorious for failing to properly process change in beneficiary forms that are submitted by their employees. One of his co-workers, Earl Phillips and his wife Veronica Phillips, advised me that Mr. Phillips had designated his wife and then his two sons as beneficiaries of his life insurance. He later found out that the employer claimed that there was no beneficiary designation form filed out. Another co-worker, Nelson Brown had his pay check sent to the state unclaimed fund office supposedly because he had not supplied an address to the company when he retired. In reality, he still resided at the same address he had lived at before his retirement.

9. Most recently I heard that the spouse of a Constellation Energy employee who was killed during the hurricane Katrina rescue effort was told that she was not entitled to any benefits because the employee's ex-wife was still designated as the beneficiary on his life insurance policy. This has caused Constellation Energy to conduct an internal investigation into their shortcomings in keeping and processing accurate records of designations of beneficiaries.

If in fact Constellation is found to have routinely failed to process the kind of beneficiary changes that they apparently failed to process for my husband, certainly this case would seem to be highly meritorious.

10. If payment on the life insurance policy is made to the defendant Lillian Johnson I know that there will be no way for me to collect the money from her even if my suit is successful. Ms. Johnson has a history of being totally irresponsible in financial matters which was the cause of her divorce. She converted funds belonging to my husband's mother which were never recovered. After obtaining title to the marital residence in the divorce proceeding she lost the property to a mortgage foreclosure because she failed to make the required payments. Even after the house was lost in foreclosure, she resisted leaving the property until a second legal proceeding was commenced against her.

11. If the funds representing the proceeds of the life insurance policy are allowed to be paid to Mrs. Johnson, once those funds leave the state, I will never see them again.

12. It is necessary to preserve the status quo that no payments be made on the policy until this litigation has been concluded. Because Met Life has been so resistant to allowing me to exercise my rights in court, a temporary restraining order is necessary to prevent payment and to require Met Life to stop

payment on any check that might have been issued over the last
48 hours.

Brenda Owens - Johnson
BRENDA OWENS JOHNSON

SWORN to before
Me this 5th day
of January 2006.
[Signature]
NOTARY PUBLIC

My Commission expires on January 1, 2007



Constellation Energy

Pay Group: BW1-Biweekly 1 (FLSA)
Pay Begin Date: 05/23/2005
Pay End Date: 06/04/2005

Business Unit: B2006
Check #: 00000000357755
Check Date: 09/08/2006

ARTHUR J JOHNSON 2813 Granite Rd. Woodstock, MD 21153		Employee ID: 31067 Department: 61-21-21-Route 40 East Stab(E) Unit Location: 1201-1203 87th Street Job Title: Sr Jymmyn-Admins/Hr/Hr Pay Rate: \$2,000.57 Biweekly		Marital Status: Married Allowances: 3 Add. Pct: 3 Add. Amt:	
		Emergency	YTD Wtd Total	YTD Wtd Total	
Personal Credit - Active		285.82		4,781.18	Fed Withholding 157.51 4,800.82
Personal Credit - Active		15.23		274.14	Fed MED/EE 25.81 633.14
Personal Credit - Active		34.19		615.42	Fed CHS/EE 122.32 2,385.78
Personal Credit - Active	25,007.125	80.00	2,000.58	8,877.57	MD Withholding 121.80 3,079.53
Personal Credit - Active		0.00	0.00	17.00	
Personal Credit - Active		0.00	0.00	400.12	
Personal Credit - Active		0.00	0.00	500.00	
Personal Credit - Active		0.00	0.00	33.00	
Personal Credit - Active		0.00	0.00	1,885.53	
Personal Credit - Active		0.00	0.00	1,000.29	
Personal Credit - Active		0.00	40.00	175.00	
Personal Credit - Active		0.00	0.00	325.19	
Personal Credit - Active		0.00	212.80	7,877.04	
Personal Credit - Active		0.00	28.75	1,487.80	
Personal Credit - Active		0.00	917.00	22,931.63	
Personal Credit - Active		0.00	112.00	2,800.80	
TOTAL:			2,315.82	54,907.70	TOTAL: 429.34 11,837.07

EXPENSES PAID BY VENDOR			APPROPRIATE REDUCTIONS		Current	FYD	EMPLOYEE LIFE INSURANCE*		Current	FYD
Medical	317.98	5,715.32	Spouse Life Ins	0.69	12.42	Employee Spill Life Insurance*	8.94	105.12		
Dental	427.86		Disability Plan	34.19	615.42	Spouse Life Ins.*	0.14	2.82		
Vision Plan	4.32	75.90	ESP - CEG	69.02	1,568.18	Add'l Supplemental Life II**	18.87	300.00		
Employee Spill Life Insurance	67.30		Garnishment-Child	184.62	3,323.18	ESP - CEG After Tax	30.01	261.88		
Add'l Supplemental Life I*	14.38	250.82	Savings Plan Loan Off	91.48	1,097.78	ESP - CEG Before Tax	30.01	727.33		
ESP - CEG	6.00	1,065.16	Unpaid Wey	2.00	56.00					

TOTAL:		425.44	5,832.73	TOTAL:	373.00	7,039.92	* Taxable - imputed income
				TOTAL TAXES			TOTAL DEDUCTIONS
Current:	3,615.83	1,912.83	429.84	789.44	1,087.34		
YTD:	58,067.70	45,847.68	11,837.07	15,572.04	26,457.68		
Start Balance: 12.0 + Rollover: 184.7 + Loans: 0.0 End Balance: 30.1				NET PAY DISTRIBUTION Advice #000000000338856 TOTAL: 1,087.34			



Constellation Energy

Deposit Date: 09/09/2005

356656

Deposit MH20C 31687 51-21-21
for ARTHUR J JOHNSON
 2813 Granite Rd.
 Woodstock, MD 21163

Account Type	Deposit Amount
Checking	1,087.34

Location: 1201-1203 67th Street

Total Amount: \$1,087.34

NON-NEGOTIABLE

FLEXIBLE BENEFITS CONFIRMATION STATEMENT

BGE HOME PRODUCTS & SVCS

ARTHUR J JOHNSON
 EMPLOYEE NUMBER: 31667
 2813 GRANITE RD.
 WOODSTOCK

MD 21163

SERVICE DATE: 12/26/72
 BASE PAY: \$ 952.65
 MONTHLY BASIC EARNINGS
 FOR DISABILITY PURPOSES: \$ 4,383.00
 ** BASE PAY/EARNINGS AS OF 10/01/03

THIS STATEMENT CONFIRMS YOUR FLEXIBLE BENEFITS EFFECTIVE 01/01/04.
 PLEASE REVIEW CAREFULLY. IF YOU FIND AN ERROR, CORRECT IT ON THIS FORM, SIGN BELOW AND
 RETURN THE FORM TO BENEFITS UNIT, 16TH FLR GAS & ELECTRIC BLDG BY 12/19/03.
 IF YOUR STATEMENT IS CORRECT, KEEP IT FOR YOUR RECORDS.

SIGNATURE

DATE

COMPANY PHONE NO.

YOUR COVERED FAMILY MEMBERS

DATE PROCESSED: 12/09/03

MEM NO.	NAME	BIRTH DATE	SEX (M/F)	REL. CODE	SOCIAL SEC. NO.	STATUS CODE	PCP NO.	-- BENEFIT COVERAGE --				
								MED	DEN	SPSE LIFE	CHLD LIFE	VIS
00	ARTHUR J JOHNSON	06/29/52	M		218-52-2801			YES	YES	YES	NO	YES
05	BRENDA V JOHNSON	07/19/59	F	SP	217-68-2244			YES	YES	YES	NO	YES

RELATIONSHIP CODES: SP=SPOUSE; CH=CHILD; SC=STEPCHILD; OC=OTHER CHILD
 STATUS CODES: ST=STUDENT; LD=LIFETIME DEPENDENT

YOUR BENEFIT ELECTIONS

BENEFIT	PLAN	DESCRIPTION	COVERAGE	2004 BEFORE-TAX COST	2004 AFTER-TAX COST
MEDICAL PLAN	13	CAREFIRST NATL PPO		\$ 133.96	
DENTAL PLAN	2	NET-PPO		\$ 11.54	
SPOUSE LIFE	0	\$12,000	SPOUSE		\$ 0.34
CHILD LIFE	0	NO COVERAGE			\$ 0.00
EMPLOYEE LIFE	05	5 X PAY NON-SMOKER	\$ 249,000	\$ 9.88	
LONG-TERM DISABILITY	2	60% OF BASIC EARNINGS			\$ 14.09
SHORT-TERM DISAB	0	NO COVERAGE			\$ 0.00
VISION	2	HIGH OPTION PLAN		\$ 2.11	
TOTAL BEFORE-TAX COST				\$ 137.49	
YOUR TOTAL FLEX CREDITS				\$ 136.50	
YOUR FLEX BEFORE TAX DEDUCTION				\$ 20.99	
TOTAL AFTER-TAX DEDUCTION					\$ 14.43
HEALTH CARE ACCOUNT	0	PER PAY CONTRIBUTION		\$ 0.00	
DEPENDENT CARE ACCT	0	PER PAY CONTRIBUTION		\$ 0.00	